

Carnegie Endowment
Face-to-Face Program
1800-2200, 13 Dec 78
Washington, D.C.

- Single most influential activity on IC in next 6 months: Charters
 - ° Working on drafts now
 - Senate tabled draft
 - Admin nearly completed draft
 - Good communications between Senate and Admin as work progressing
 - Doesn't mean agree on all issues
 - Means working positively to work out differences
 - ° Major issue: How much control? How applied
 - One hand, can underreact and assume that abuses of past will not recur because more conscious -- we are.
 - On other, can overreact and emasculate the IC.
 - Both shortsighted
 - Important to achieve balance
 - ° Major problems:
 - 1) Cannot simply make definitive list of prohibitions
 - Negative approach
 - Dangerous --interpretation of law out of control;
must be extremely confident
 - May foreclose many activities completely that want to do partially
 - Besides can't anticipate every conceivable activity
might want to prohibit

2) Whatever you do prohibit you must be able to check on/
monitor

- Secrecy is sine qua non of intelligence
- Some secrecy legitimate
- Secrecy though has seeds of danger for very freedom
we are protecting.

Any kind of power may be abused, but with power
that is unidentified, the potential for abuse
is even greater.

-- How then to provide for good intelligence,
yet prevent abuse?

-- How to ensure accountability?

Probably the best way--and perhaps the only practical way-- is

- to establish some few outright prohibitions where they can
be defined explicitly (i.e., assassination) and then lay
down a set of fairly broad guidelines which reflect the
values of American society and the boundaries within which
the Intelligence Community is expected to work.
- to establish a means of ensuring accountability by effectively
monitoring IC activity--taking into consideration that much
of what you will want to monitor will be classified.

The scope and detail of the guidelines is now being debated; but the
means of ensuring accountability exists today. We have accountability
in Executive Branch, the Congress and even in the public.

- Want to look briefly at those bodies to which IC is now
accountable and determine to what extent they can exact

effective accountability without emasculating our intelligence capabilities.

First, the public, including the press

- In the past, public oversight was impossible because no access
- No longer true. Revelations, public inquiries, FOIA, have all made the IC much more accessible to the general public
- In addition, last 2 years adopted a policy of openness
 - More forthright with the media
 - I am here tonight --inconceivable just 5 years ago
 - Major effort to share analysis (benefit to us - reduce corpus - secrets easier to keep)
- The free press is, of course, major asset to public in their oversight of IC. Done marvelous job in many instances --Woodward/Bernstein
 - Here though there are serious contradictions and potential problems for long term. Must remember
 - ° What the public knows, the enemy knows
 - ° Unlike a court, the press can find you or me guilty through accusation alone. The power to accuse in public press or on the air is a profound power which is just as susceptible to abuse as any other power.

- ° Particularly problem with IC. This difference of press is at disadvantage if not having full access to IC data, e.g., while the press and IC have same problem with sources, i.e., out of business unless can protect confidential sources, sometimes the media does not recognize the right of privacy or confidentiality of anyone but themselves.

2 stories in Washington Post.

Second accountable body - Executive Branch - number accountable processes here --let me focus on President.

- President --no longer "plausible deniability"
 - Signs all covert action plans
 - Knows all sensitive programs --gives me time each week keep posted.
 - Supports full cooperation with Congress and their access to the information they need to exercise oversight (about which I'll speak in a moment). This attitude by the President is vital to real accountability.
 - IOB.

Third accountable body - Congress

- Skeptics may have no greater degree of confidence in record of Congress in oversight than in Presidents, but Congress is the only elected body totally independent

of the Executive Branch. Consequently, assured
2 independent branches of government have access to
what the IC is doing.

- 2 new committees of Congress with clear jurisdictional
lines to the IC.
- In the past, intell info given a few key and sympathetic
committee members who in turn shielded the IC from the
rest of Congress.

Conclusion --if going to be free

Must have intell.

If have intell, must ensure against abuse of secrecy:

Way to do

- Have accountability but must balance with effective intell

For instance, if in addition to accountability, you
expect to tie us into straight jacket of laws and
regulations that adjudicate every detail of our
operations--surely this will bring intelligence to
a halt in this country. For example--

CIA regulation on media - accredited

-- Rule

-- Escape clause

Some people object - no rule at all

-- Why need escape clause?

2 examples

1. Fired translators

2. Terrorist action

- But to cover loop holes and escape clauses, we do have the oversight processes I've described. I must account to Pres/IOB/Congress for the exceptions I make. I do not know when or where they are likely to interrogate me.
- Have achieved balance? Don't know --too early tell
- If works - revolution - never before in history has intell been conducted with degree accountability I have described.
- Believe on right track.
- Believe can work in our country - but will require some understanding and forbearance -

Much of world is gray - attempts to paint it black or white will end in catastrophe

It's not perfect world

It's not open world

We must balance idealism - realism in our international affairs

-- Check of accountability to ensure not overdo realism

-- Check of reasonably flexible guidelines for account to not overdo idealism

Only then can we have freedom.

CARNEGIE ENDOWMENT
FACE-TO-FACE PROGRAM
13 December 1978

~~(No introduction)~~

~~Trends in Intelligence and I would really like to talk about one.~~

The most important influential activity, I think, in the intelligence world for the next six^{to} twelve months is the ~~and that is the~~ prospect for the enactment of legislative charters for the intelligence community; charters which would authorize intelligence activities and controls for them. As you all know this stems from recommendations from the Church Committee and it has been taken up by the Senate Select Committee on Intelligence who have tabled a Bill in the Senate for a draft set of charters. The Administration has been working very cooperatively with the Senate Select Committee to give its views to them on the draft legislation. I would anticipate that out of this dialogue, in which there has not been total agreement, but which there has been very good communication that we will see a new bill submitted before the next Congress and hopefully enacted in ^{the} ~~A~~ course of time. ^{He} ~~They~~ are beginning to work with Mr. McC^Fory's House Permanent Select Committee on Intelligence on this as well. The Senate is in the lead at the moment.

I think there are a couple of major issues and those are how much control is going to be enacted and how are the controls going to be applied. We can, in my opinion, on the one hand, under-react to the problems of the past by simply assuming that the abuses of the past

will not ~~be~~^{secret} because we are so much more conscious of them today, and we truly are. On the other hand we can over-react and emasculate the intelligence capabilities of our country in the process. Either position would be shortsighted, of course, we must achieve some balance. In doing that there are a couple of real fundamental problems. On the one hand, I don't believe you can enact charters that simply are a comprehensive list of prohibitions on intelligence activities. That is a negative approach to a very positive activity. It is a dangerous approach in my opinion, because if you enact prohibitions today out of national reaction to defense of the immediate past, you may well find that in five or ten years that you are saddled with a law which does not any longer request the activities, the attitudes of the country. Or you may find that you have completely prohibited some activity which you then want to be able to conduct partially. At the same time, I think you also must recognize when considering prohibitions, on the other side of the fence, that you cannot possibly anticipate in advance every conceivable activity that you want to prohibit. So, any such list is going to be incomplete. You need something with more substance, more breadth than simply a list of prohibitions.

A second problem is that you must find some way with whatever prohibitions you enact, to check, to monitor to see whether they are being carried out. And yet, intelligence must be conducted in some high level of secrecy. Secrecy is a very legitimate element

but as you all know secrecy has great seeds of danger in it. Seeds of danger for freedoms that intelligence activities are designed to check. Any form of power can be abused, when power is unidentified, secret, the risk of abuse is even greater. So, the problem we have today is how to provide, on the one hand, for good intelligence and yet, prevent the abuse of the necessary secrecy that goes with it. I would suggest there are a couple of elements you have to consider. First, you can establish some ideal, relatively small number of specific outright prohibitions. Then you would lay on top of that a set of fairly broad guidelines. Guidelines which reflect the basic values of our society and which will establish for the intelligence community the boundaries within which it must operate. And when so doing, because you need some form of monitoring or checks; you must have the process of accountability. A process that will take into account the fact that much of the intelligence activity being monitored is conducted in secrecy. The scope of the prohibitions and the guidelines is what is really being debated today between two committees of the Congress and the Administration.

The provision for accountability, for monitoring, I believe are already in place. Most of you know them well, so I will touch on them briefly. They exist in Executive Branch, in the Legislative Branch and I think even in the public domain today. Look in the public domain. A few years ago it was impossible to have any form of public oversight in the intelligence process simply because here was not enough information made available. Since then we have had the investigations, the revelations and something called the Freedom of Information Act

which number of cases in the room are familiar. We have spent about a man-year on Mr. Halperin alone. We don't satisfy him very much and I would say to you Mr. McC/ory as a member of Congress and the rest of you as taxpayers one of the greatest waste of your money is the number of manyears, 109, that I spend when you consider the miniscule output. I am very strong on the Freedom of Information Act, but its application is totally absurd in my case, in the Central Intelligence Agency and we must find some way to put it into reasonable balance so that we don't spend 10 hours searching for one paragraph we can release. Because of this, because we have positively adopted a policy of greater openness, I believe there is enough information in the public domain today for the public to have a reasonable view, a reasonable oversight of our intelligence activity. We are more forthright with all you here who represent the media. I am here tonight, as I think Directors might not have been 5 or 6 years ago, and I think you all know that we have tried very hard to release more of our analysis in an unclassified form in recent years in the hope that this will make our activities more visible and at the same time provide a real service to the public in helping to inform and improve the quality of debate on important topics in our country. And I would give fair credit while we are here to the free press of our country in the role that they play in public oversight of the intelligence process and it certainly is a very important one.

On the non-public side, in the Executive Branch we have quite a number of accountable processes. But I want to focus for a moment

only on those that are around the presidency. It is no longer nearly as possible, or as in the past for a President to claim "plausible deniability." Since 1974 Presidents have been required to sign on the dotted line for any covert action activity for our country. This President is well-informed on the sensitive programs we undertake and he supports very fully the degree of cooperation with the Congress that we have today and which will be codified in these charters. In addition, we have today the Intelligence Oversight Board, a three-man mechanism, appointed by the President, people from outside the government; in this case ex-governor Scranton, ex-senator Gore and a lawyer from Washington, Tom Farmer. Men whose only job is to check on the legality and the propriety of the way we are conducting our intelligence activities. Any member of the intelligence community may go to them with a complaint, suggestion, set of facts--those people do not need to go through the system, through me, there is no way of cutting them off--then the Board will look into their complaints, their suggestions and report only to the President as to whether something needs to be corrected.

Finally, there is what I referred to already several times the oversight mechanism of the Congress. Of course I think it is very important that we have this balance so that there is the two branches of the government represented here to counterbalance each other. The Senate Select Committee has been in existence for 2 1/2 years, the House Permanent Select Committee for a year and a half almost. I have found our relationships with both committees to be very good,

very constructive and for me very helpful. And yet, at the same time I would make it abundantly clear that it is a relationship of control and oversight, one in which I am required to report and do report in as full a measure as is possible. So, it is a very good check and balance. I believe that having the requirement that counts with the Congress of the United States is something of real value, particularly in ensuring that things like abuses do not reoccur. I would suggest that it is probably one of the missing ingredients of the first 30 some years in intelligence activity of our country since World War II.I would think they could be attributed as much to the lack of adequate oversight, the lack of adequate accountability as much as anything.

Let me sum up by saying that I think we need a good intelligence activity today more than any time since the end of World War II, for reasons of the lack of the same margins of superiority and political, economic, and military spheres that we had for so many, many years. We must be more well-informed; we must be able to use the leverage of good information as opposed to theof both. If we are going to have good intelligence, we simply must have secrecy. More secrecy than we have today, I am afraid. But if we have secrecy, we must have accountability and that means finding the right measure of balance between oversight and effective intelligence. If the oversight

and accountability is going to put us in the straightjacket of law and regulations, such that every minute operation we undertake is controlled and regulated, and every agent in the back alley has to have a law book in his pocket, we are not going to have effective intelligence. Let me give you just one example. We have a regulation in the Central Intelligence Agency that we will not have a contractual relationship with any member of the American media. The last clause in that regulation says that I, the Director of Central Intelligence, may make exceptions. Why would I want to make an exception? I do not want to find ourselves in a position where we have penetrated a foreign terrorist organization and know that a terrorist activity is about to be undertaken and happen to find that a stringer of an American newspaper is the only contact into that organization that can possibly help us thwart that activity without my being able instantly to make that exception and utilize that person who is normally proscribed. In short, I have a regulation, in my opinion, which clearly tells my organization what the intent, the purpose is, but says when you see the opportunity that really is important to this country, don't you hesitate to come in for that quick exception. There are those, of course, who cynically say a rule like that is no rule at all. You may make thousands of exceptions every year and I reply that is what the oversight process is for. That is why the President's oversight board, the Senate and House Committees on Intelligence is there because I never know when they are going to ask me--Turner, how many exceptions did you make to that in the last

six months and why, tell us the purposes for which you did this. So they can understand whether I am fulfilling the regulation in its spirit or its letter, whether we arethis thing out as a ritual or as a regulation that we really believe in. So, I think, we really can achieve balance without getting ourselves into a straightjacket. We are trying that, we are trying very hard today. Clearly, there are many people who think we are going overboard and are being shackled unnecessarily and to the point that we will not have effective intelligence. That many people who feel it has been so many years since the Church Committee and we still don't have these Charters, these regulations, and certainly things are out of control. I think we are moving firmly and in the right direction. I do hope these charters will be enacted in this next Congress, if they are and if with them and the procedures that have been evolving from all of these activities we do find that right balance; we are going to have effected a revolution in intelligence for the first time in the history of the world that a major intelligence organization has been as accountable as we are today. If it is a revolution, I think it will work because of our country, our values and our standards. But it is only going to work if there is understanding and forbearance on the part of the American public. The world is not black, or white, much of it is gray. The world is not privileged, the world is not all open. I think we are trying to find a balance

between idealism on the one hand, and realism on the other in our international affairs. We must balance the realism by some accountability. We must not be able, in the name of getting the job done to be able to do anything, we must have the accountability. On the other hand we must also balance the idealists that might tend to say, when in doubt, prohibit, with some stretch of flexibility, some degree of reasonableness. I believe we are working to that kind of a balance between idealism and realism in it over a period of years to come, because we are not there yet. I think we will strike a balance that will really establish a new model for intelligence, rather uniquely for our country.

Thank You.

Carnegie Endowment Face-to-Face Program
Questions & Answers

DCI: Comments and remarks are not for attribution, I thought this was off the record. Despite the fact that you prefer to take notes. You cannot attribute this to intelligence offices.

Q. Mort Halperin.

DCI: Inaudible.....I was told I could be frank here. It is not worth it to the taxpayers of the country and I am a taxpayer. You send in frivolous ones, you send in an encyclopedic request that is unreasonable and unfair to all of these people who are taxpayers. Sure, I can go get one file and give you dozens of them.

Q. Mort Halperin. One of the principals, as you know has been debated is the question whether or not the charter should prohibit the Intelligence Agency from conducting surveillance of American citizens when they are not suspected of criminal activity. Rather than permitting them surveillance of Americans who possess foreign intelligence information or have a relationship with a foreign power which is not criminal (inaudible) Let me ask you whether you can live with that, or whether you will still be able to do your job as you are supposed to (inaudible)

A. Yes, we can live with it because we are living with it to the Foreign Surveillance Act which was just enacted by the Congress. I would not like to see it in all the other provisions that come along, but we can live with it in that case.

Q. Mort Halperin. Isn't there a major (inaudible) The charters were introduced a year ago and it has taken a year for the Administration

to get it together. It is my understanding that there are a lot of issues to resolve, but the major issue is the demand of the intelligence community should gather foreign intelligence from Americans by covert means, even though they are not suspected of criminal (inaudible) but that is a major hangup in the charter to date because S-2525 introduced by the Senate cut across and said if you don't have a particular you can't investigate and the intelligence agencies say that is not acceptable.

- A. I think you are over dressing it. I have been around watching that charter for a year and I have not been involved in this particular issue yet. We have hesitations as to whether that is that you are trying to anticipate all conditions that will exist in the future and they may not exist the way you think. I think it is unwise to strap yourself in that much. You can certainly make it clear by an unjunction or a guideline that the general rule is that you want this to be a criminal condition. But putting it into an actual law, and you don't know how the judges are going to change that law in the next 10 years, I think (inaudible)

Q. Richard Burt. Admiral, I haven't had the opportunity to pay a great deal of attention (to audible) listening to your presentation and picking up the vibrations in this room, I am now sensitive to the ways the DCI can feel himself whipsawed on some of the civil liberties issues involved when things like the charters, policies and people very concerned about intelligence failures, updated information. I would like you to address one specific that I haven't seen a lot discussed and that is counterintelligence. To what extent, there are a number of arguments about counterintelligence - bureaucratic problems involved within the intelligence community, there are problems with the charter and its ability of the Agency (inaudible) Are you happy with the ability of the United States now to do a fair counterintelligence job? And, if not what needs to be changed?

A. I think we have come a long way in the last 3 or 4 years in counterintelligence, certainly from the years of no cooperation between the FBI and the CIA that existed at one point. You know that counterintelligence inside the United States is all done by the FBI and outside by the CIA. With the quarterback handing off to the halfback across the ocean, we have to change the monitoring function. We have a very good relationship with the FBI today and I think (inaudible) I believe within the intelligence

community as a whole, counterintelligence became neglected for a whole myriad of reasons, I don't think we need to go into. We have put much greater stress on it. Congress has ordered us to put some more people into it in this very fiscal year right now. I searched for a very key individual in the Central Intelligence Agency and move him from a very important position and to be head of counterintelligence because I thought it was rather important to have a qualified person. Counterintelligence does though, run you smack into the rights of Americans because you are talking about a mole, it may very well be an American. (inaudible) We do have a real problem of not invading the rights of our citizens in the process. Right back to your question. How clearly can you be certain that it is a criminal intent. And we are very certain today in a number of ways because of the protection of the rights of Americans. We haven't gone through all those procedures we're listening to a telephone in some foreign country and a voice comes on and sounds like its an American, we drop the telephone and there you are. That doesn't help with your intelligence, and yet, I don't want to be untrampled in my ability to listen to Americans whether they are in some foreign country or here. So, it is finding that right balance and it's just not easy. I think it is overboard in other directions yet.

Q. Bob Brauer, Cong. Dellums Office. In the past, there are instances I can think of when either parties were disinformed, misinformed, or the Agency wasn't forthcoming with both Forty Committee, with the Congress, with the public. Those apparatuses you listed in terms of oversight, and even the relationship between the Congress and the Agency in terms of information in a crunch is really undecided by either the judicial or legislative history over the last several years. That, I would suggest, particularly from the Congress and the public's side are really dependent upon the good will of the Agency which is certainly there now, but might not be in the future. NSA has allowed GAO, in some circumstances to come in. Can you see a time, or would you be willing to accept either personnel properly cleared from either some kind of outside inspector general, or from the Congress to have a more institutionalized presence particularly, the opportunity and the capacity to watch money move in terms of monitoring the activities of the Agency?

A. I think you have got so many controls and inspections now that is it isn't necessary to give you that assurance. The GAO does have certain privileges in the intelligence community at this time. I have been working with Elmer Stadt on that and they do report investigations. I can't tell you in greater detail in which our money flow is circumscribed as reviewed by the corporations committee and the Select committess.

- Q. You still have an account that you can move unvouchered though don't you sir?
- A. Yes, I have unvouchered for the expenditures that is certainly true, but I justify and provide to the Congress detailed budget information much greater than ever before. So great that it really terrifies us that they will put it together and send it up there. I think there is very minute accounting and if we make any changes, we program, we reprogram this afternoon that it goes back to four committees of congress.
- Q. But you would concede that even in an appropriations committee or in the oversight, but watching even the kind of breakdown that you provide to them wouldn't give them the ability, if you were masking an operation to determine it by watching them.
- A. I don't believe with the degree of oversight we have got, that masking an operation is just very, very nil. When I go up before these committees they ask me about them and there are so many snoops around that if we are doing something they will hear a little bit about it and we will be asked the question and I don't mask.
- Maybe this gentleman has some examples toanything that Admiral Turner has been doing.
- Q. I am not concerned --- I was looking more in a historical sense on the capacity and the inclinations in certain places of what is going on with the Agency. I am not referring to anything the Admiral has done.

Begin Side B of Tape

Q. (Inaudible) we are both interested vitally in the survival of the Western civilization, therefore, I hope you won't take what I say ...the article is, according to my article which was published in the September issue of Comment. I will repeat very briefly in my opinion, it is not a problem of a moral or a Soviet agent penetratingSoviet agents only it would do less harm because no Soviet agent would disinform the Congress and the public, so grossly as the CIA was doing for 11 weeks. So now this is an accepted fact and Richard Nixon sort of said it in very vaguein Paris last November, so it is not disputed anymore. I first voiced it 3 years ago to the United Press International and it was completely ignored, because the Washington journalists were interested only whether to set houses on fire, rape someone, or so on. They were not interested whether you were competent or not. Now, why this happen? The problem is not that there were elementary mistakes on Soviet defense spending for 11 years, the problem is that those mistakes indicate that the CIA has no elementary ABC knowledge of Russia. No elementary conceptual framework. That to the CIA as to many other abortive Soviet organizations. Russia is a fantasy of their own making of consisting of indigested scraps of Soviet propaganda. The CIA knows nothing about Russia except Soviet propaganda. It tries to understand Russia by staring hard at Soviet propaganda or reshuffling and juggling some figures, sometimes making it even more false than

the Soviet propaganda. That is one problem. It is this, because until and unless, your organization just as other Soviet abortive institutions have an elementary basic knowledge of the multiplication table of knowledge of Russia, until and unless that happens, any intelligence information, even if you had one, and you have not, would be futile. Now to the second more sophisticated problem. Your organization is not simply the Harvard university or just some institute ofyour supposed toNo western intelligence agency has been penetrating Russia. You must..... How many years ago it was thought impossible to penetrate or to see through the human skin. Then the x-ray machine was invented. Science made it possible. I believe that this problem can open the soul, but you haven't started, you haven't approached the solution of the problem. You are like medicine 400 years ago, and the x-ray machine is 300 years ahead. If we would wait for 300 years, I am afraid the Soviet regime would catch up with us..... The Soviet regimebecause let us face it, the Soviet regime.....every precocious russian school boy knows you don't want to face the facts. I can show you the editors showing that you cannot penetrate electronically the Soviet regime. Forget about it. Unless you.....you simply are misleading the public by pretending you can penetrate

.....Human agents, you cannot penetrate the Soviet regime with human agents. Again, this is an art and science, you haven't started developing that science. Admiral, excuse me for wasting so much of your time and the time of the audience but you must think for 25 years I was going to say that, so I said it.

A. Thank you very much.

Q. Charlie Stevenson, I work for Senator Talbert(?) As one of the staffers responsible for the Hughes-Ryan Amendment, I wanted to ask why the Agency wants that changed, and since I only have one question let me ask about the 219-B concept, your attitude toward that and whether this 3-man panel is in some way an effort to do that, to resuscitate the 219-B approach.

A. No, it is not. The 219-B approach has to be in my opinion. It doesn't mean the technique is not applicable. It lead to stories getting into the American press a great deal of highly classified material. I guess I am not enthusiastic about having two groups of zealots working in opposition because that kind of explosion often results. I think 219-B team method may be applicable in some unusual circumstances, I want to reserve the right to use it. What we are trying to do here it to have a continuum, not on an ad hoc basis, like that particular one estimate. Review of the quality and the thrust of our analytic effort. We will call in individual groups of consultants to

work over a particular action, but this three-man group can't work from A to Z. And I don't want them to take an estimate from birth to final signature, because then they become a part of the process. They have to stand off, they are not there to make an estimate, they are there to tell me and Dr. Bowie they really are not on the right track in the way they are going about this estimate; you have asked the wrong question, or your analysis was faulty. Sometimes they will tell us enough in advance so we will turn the thing around, but we don't want them to be responsible for it, because then they get less than objective in some ways they are not part of that process. Instead of people looking down on it. I would hope they would say to me, you have never put out an estimate on Sri Lanka and it is about to become the most important place in the world, or something like that. Why aren't you putting more effort here, because they are looking at some gaps as well as the problems.

Q. (Inaudible)...In view of the real history in Washington regulatory agencies, oversight committees has been and in effect, more or less captive audience.The Agency or intelligence communityyou outnumber them, they will it seems to me.....I understand the present situation.....(Inaudible)

- A. You have not only spoken derogatorily, but you have predicted there is no way to correct this. In short, you are saying the Congress cannot exercise oversight over commerce, investments, or trade or anything. I just happen to be more optimistic than you. I think even the Armed Services Committee, has a great deal in common with the military, who exercises oversight over them. I can assure you, that while we can't guarantee you a prediction over these two over a period of time. It certainly is not the case today tht the intelligence committees are in my pocket. I am very beholden to them and when Burt writes a headline that criticizes us, I get a letter from one of the committees the next day wanting to know what is going on and it isn't a letter I enjoy answering. Putting me on report and making me come up and answer it. You have been there 12 years, you may even predict it is going to degenerate, I don't think it will.
- Q. The only reason I ask the question was.....subjectively, the situation today our intelligence activities are which we hamstrung or hamper in a way and I wonder how much longer you expect
- A. Well, reporting to eight committees of Congress on the Hughes-Ryan Amendment does jeopardize our intelligence, that is just too much visibility. Two joint committees on intelligence each of which is by either statute or regulation required to have members of the foreign relations appropriations and defense committees on it. So that if we notify

the select committees that we are doing a cover action in country
x two people from the foreign relations committee of that chamber
will know so if and there is something else going on in that
country, they are not uninformed that the CIA is also involved in it.
We go and inform that whole committee and its whole staff then we have
multiplied into the hundreds the number of people who know a covert
action, it is getting so it is not covert.

Q. I think a lot of our discussion relates to a condition that existed
some years ago. (inaudible) What seems to be occurring is that
we persist in dragging and aerating and emphasizing the sins of the
past and in my opinion.....I have not.....these kinds of
wrongdoings are continuing and persist. The things that occurs
to me that we are leaking ourselves.....
wrongful covert activity by denying to us information.....
.....covert activity, clandestine
counterespionage activity that are carried on are minimal part of
intelligence.....raw intelligence gathering
.....social political subjects that are vital.
The question I would ask is this. In connection with the
charters and prohibitions in the guidelines this
criminal activities and non-criminal activity with the idea that
information which we.....does not relate to any crime,
nevertheless we gather it and utilize it even though it involves
American citizen. If we are not going to use it in the purpose
for some kind of criminal investigation, I think that involves th
guidelines.....without a warrant wasavailable
and useable.....Shouldn't, in your view, a distinction be
made between criminal and non-criminal activity for intelligence gathering.

A. Yes, I think that right now the counterintelligence view on my desk a draft letter to the Attorney General saying I think there is enough probability of a criminal problem here involving American citizensAnd I am having a terrible time deciding whether to sign it or not, because the evidence when your working with counterintelligence that you have to start with is often very tenuous and circumstantial. The question in my mind is when have I crossed that line when I can really say that to the Attorney General. That is a problem we are faced with here. You may think the that you have plenty evidence that there is a potential criminal situation after you get into it just a little bit, but you may not get started and get the clues you need to do that if you are totally tied to the criminal.....

Q. Phil Foster....(inaudible) I am little concerned with your Director of Central Intelligence office. (inaudible)

A. (inaudible) because there hasn't been an accountability factor to make the people within the community weigh with the benefit of what you are talking about doing with the risks.

Q. Inaudible.....

A. That is a matter for you to judge. There has in the recent past in this country been a situation where people of the country today don't want to rely on the integrity of any of us, therefore, the idea of

be very, very worthwhile. In the particular form of oversight of the Congress isthe probability of developing overly friendly relationship is less between me and the Congress than it is between me and members of the executive branch, so I think it is worthwhile.

Q. Admiral, I think there is one question, forgive me if I ask a question with two tenuously related parts. Ivan Wolf did a study on the national intelligence estimates as they relate to the projection of Soviet strategic forces. I think a careful study which indicates 11 out of 13 years in Central Intelligence Agency and other intelligence agencies underestimated the growth of Soviet strategic forces. There were reports in the papers which may or may not be true that our intelligence on the current situation in Iran left the President with less information than he publicly should have had. My question is what has been done in the last, on your watch, to attempt to assure that we don't have intelligence failures of the sort that we had with respect to the strategic estimates, that we may now have had with respect to Iran.

A. (Inaudible) I tried to do a number of particular things (Inaudible).....to help inform the leaders I think you have a number of examples of how that has improved in the estimating process, beyond that I tried to bring in people who will be analytic, who will be inquiring.

Bob Bowie.....It takes time in a large organization.. (Inaudible) review panel (Inaudible) this kind of thing is what we are doing.....

I am not able to give you a real pat formula because it is not a very pat problem.

End of questions/answers